

Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Tab settings ⇨ ⇨ ⇨

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Deutsche Bank Trust Company Americas  
(f/k/a Bankers Trust Company), as agent

- Individual(s)
- General Partnership
- Corporation-State
- Other
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Release of Security Interest in U.S. Trademarks
- Merger
- Change of Name

Execution Date: 10/8/04

2. Name and address of receiving party(ies)

Name: The NutraSweet Company

Internal

Address: Suite 936

Street Address: 200 World Trade Center

City: Chicago State: IL Zip: 60654

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s) \_\_\_\_\_

B. Trademark Registration No.(s) \_\_\_\_\_

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Laura Konrath

Internal Address: Winston & Strawn LLP

33rd Floor

Street Address: 35 West Wacker Dr.

City: Chicago State: IL Zip: 60601

6. Total number of applications and registrations involved: 24

7. Total fee (37 CFR 3.41).....\$ 615

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

232428

**DO NOT USE THIS SPACE**

9. Signature.

Laura Konrath  
Name of Person Signing

  
Signature

10/12/04  
Date

Total number of pages (including cover sheet, attachments, and document):   

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

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Continuation  
Item 4  
p 1 of 3

SCHEDULE A TO RELEASE OF SECURITY INTEREST

NUTRASWEET U.S. TRADEMARKS

APPLICATIONS

Country	Trademark	Current Owner	Application No./ Filing Date	Registration Status
U.S.	CANELIFE	NutraSweet Property Holdings, Inc.	75/642482 17-Feb-1999	
U.S.	ELATION	NutraSweet Property Holdings, Inc.	75/678135 08-Apr-1999	
U.S.	EXTRA VA	NutraSweet Property Holdings, Inc.	75/678131 08-Apr-1999	
U.S.	NEOTAME	NutraSweet Property Holdings, Inc.	75/373128 15-Oct-1997	
U.S.	NUTRASWEET 2 BRAND SWEETENER & SWIRL DES	NutraSweet Property Holdings, Inc.	75/183984 18-Oct-1996	
U.S.	NUTRASWEET 2 BRAND SWEETENER & SWIRL DES	NutraSweet Property Holdings, Inc.	75/232251 28-Jan-1997	
U.S.	SUGAR DELIGHT	NutraSweet Property Holdings, Inc.	75/738216 28-Jun-1999	
U.S.	SUGAR DELIGHT	NutraSweet Property Holdings, Inc.	75/175750 02-Oct-1996	
U.S.	SUGAR2	NutraSweet Property Holdings, Inc.	75/678132 08-Apr-1999	
U.S.	SUGARLIGHT	NutraSweet Property Holdings, Inc.	75/651975 02-Mar-1999	
U.S.	SUGARTOO	NutraSweet Property Holdings, Inc.	75/678133 08-Apr-1999	

TRADEMARK

REEL: 002953 FRAME: 0926

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Country	Trademark	Current Owner	Application No./ Filing Date	Registration Status
U.S.	SWEETEN WITH THE SWIRL	NutraSweet Property Holdings, Inc.	75/707606 17-May-1999	
U.S.	SWEETENER 2000	NutraSweet Property Holdings, Inc.	75/196978 12-Nov-1996	
U.S.	TEMPTIVA	NutraSweet Property Holdings, Inc.	75/678130 08-Apr-1999	

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**REGISTRATIONS**

Country	Trademark	Current Owner	Application No./ Filing Date	Registration Status
U.S.	EGGCELLENT	NutraSweet Property Holdings, Inc.		1951862 23-Jan-1996
U.S.	NUTRASWEET	NutraSweet Property Holdings, Inc.		1262746 03-Jan-1984
U.S.	NUTRASWEET	NutraSweet Property Holdings, Inc.		1336188 21-May-1985
U.S.	NUTRASWEET	NutraSweet Property Holdings, Inc.		1369877 12-Nov-1985
U.S.	NUTRASWEET AND SWIRL DESIGN	NutraSweet Property Holdings, Inc.		1325241 19-Mar-1985
U.S.	NUTRASWEET GRANULAR	NutraSweet Property Holdings, Inc.		1562874 31-Oct-1989
U.S.	NUTRASWEET LOGO UNIT	NutraSweet Property Holdings, Inc.		1440365 26-May-1987
U.S.	NUTRASWEET SCRIPT	NutraSweet Property Holdings, Inc.		1358678 10-Sep-1985
U.S.	SWIRL DESIGN	NutraSweet Property Holdings, Inc.		1366139 22-Oct-1985
U.S.	SWIRL DESIGN (RED AND WHITE)	NutraSweet Property Holdings, Inc.		1353525 13-Aug-1985

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**RELEASE OF SECURITY INTEREST  
IN UNITED STATES TRADEMARKS**

FOR GOOD AND VALUABLE CONSIDERATION, Deutsche Bank Trust Company Americas (f/k/a Bankers Trust Company), as Collateral Agent, with principal offices at 60 Wall Street, New York, New York 10005 (the "Releasor"), hereby releases and terminates its security interest in (i) all right, title and interest in and to the United States trademarks, trademark registrations and trademark applications set forth on Schedule A attached hereto (the "Marks") of The NutraSweet Company, a Delaware corporation (the "Releasee") with principal offices at 200 World Trade Center, Suite 936, Chicago, IL 60654, (ii) all Proceeds (as such term is defined in the Security Agreement referred to below) and products of the Marks, (iii) the goodwill of the businesses with which the Marks are associated and (iv) all causes of action arising prior to or after the date hereof for infringement of any of the Marks or unfair competition regarding the same.

WHEREAS THIS RELEASE is made in consideration of the satisfactory performance and payment of certain obligations pursuant to the Security Agreement among the Releasee, the other assignors from time to time party thereto and the Releasor, dated as of May 25, 2000 (as amended from time to time, the "Security Agreement").

WHEREAS THIS RELEASE has been granted in conjunction with the release granted in the October 8, 2004 letter of Deutsche Bank Trust Company Americas to NutraSweet Holdings, Inc. and the Releasee ("Pay-Off Letter"). The rights and remedies of the parties with respect to this Release granted herein are set forth in the Pay-Off Letter, all terms and provisions of which are incorporated herein by reference. In any event that the provisions of this Release are deemed to conflict with the Pay-Off Letter, the provisions of the Pay-Off Letter shall govern.

IN WITNESS WHEREOF, the undersigned have executed this Release as of the 8<sup>th</sup> day of October, 2004.

DEUTSCHE BANK TRUST COMPANY  
AMERICAS (F/K/A BANKERS TRUST  
COMPANY),  
as Collateral Agent and Releasor

By Carin M. Keegan  
Name:  
Title: Carin M. Keegan  
Vice President

THE NUTRASWEET COMPANY, Releasee

By James F. Stanley  
Name: James F. Stanley  
Title: Sr. VP & CFO

STATE OF GEORGIA        )  
                                  ) ss.:  
COUNTY OF RICHMOND )

On this 8th day of October, 2004, before me personally came Jamca F. Stanley, who, being by me duly sworn, did state as follows: that [s]he is Sr. VP & CFO of The NutraSweet Company, that [s]he is authorized to execute the foregoing Release on behalf of said corporation and that [s]he did so by authority of the Board of Directors of said corporation.



\_\_\_\_\_  
Notary Public

Notary Public, Richmond County, Georgia  
My Commission Expires April 19, 2008

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK )

On this 7th day of October, 2004, before me personally came CARIN KEEGAN, who, being by me duly sworn, did state as follows: that [s]he is VICE PRESIDENT of Deutsche Bank Trust Company Americas (f/k/a Bankers Trust Company), that [s]he is authorized to execute the foregoing Release on behalf of said corporation and that [s]he did so by authority of the Board of Directors of said corporation.

Jojean Travis  
Notary Public

JOJEAN TRAVIS  
Registration No. 01TR5013241  
New York County  
July 15, 2007



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